

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JERICO NICOLAS, et al.,

Plaintiffs,

v.

UBER TECHNOLOGIES, INC.,

Defendant.

Case No. 19-cv-08228-PJH

**ORDER VACATING ORDER DENYING  
MOTION FOR LEAVE TO FILE  
AMICUS BRIEF AND GRANTING  
REQUESTED LEAVE**

Re: Dkt. No. 58, 60

On March 10, 2021, the Partnership for Working Families and the California Employment Lawyers Association (collectively, “Amici”) filed a motion for leave to file an amicus brief. Dkt. 58. Amici filed their proposed brief as an attachment to their motion. Dkt. 58-1. On March 11, 2021, the court denied Amici’s motion. Dkt. 60. On further consideration, the court **VACATES** its order denying Amici’s motion for leave to file their brief and instead **GRANTS** that motion. Amici need not refile their brief.

Importantly, the court finds that Amici effectively raised and analyzed various issues pertaining to defendant’s argument in its motion to dismiss (Dkt. 46) that California Business & Professions Code § 7451 abates plaintiffs’ state law claims. Several of these issues were neither raised nor discussed in the parties’ briefing and the court finds the discussion helpful in its consideration of the application of the abatement doctrine to this case. The motion remains under submission and the court is not inviting nor will it entertain any responses to the amicus brief.

**IT IS SO ORDERED.**

Dated: May 5, 2021

/s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON  
United States District Judge